

**NOURSE & BOWLES, LLP**

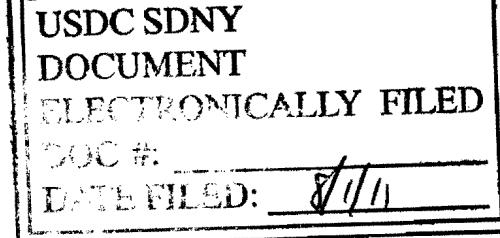
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August 1, 2011



Magistrate Judge James L. Cott                                    212-805-7990  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: *Fireman's Fund Insurance Company et al v. Great American Insurance Company of New York, et al.  
Civil Action 10-cv-01653 (LAK).*  
*Request on Behalf of All Attorneys for Adjournment of Conference on August 3, 2011*

Dear Judge Cott,

We are attorneys for Defendant and Cross Claimant Max Specialty Insurance Company ("MSI") and we write in response to a request by Mr. David Tamm of Your Chambers that we notify all parties in the action of a pre-trial conference on August 3, 2011 at 10:30 a.m.

I communicated with opposing counsel and informed them of the conference date.

Referring to my letter to Judge Kaplan dated July 13, 2011, opposing counsel asked the status of MSI's retention of separate counsel.

MSI informed me that as of July 29<sup>th</sup> because of conflicts of interest with the plaintiffs, attorneys MSI had approached could not act for it. MSI was awaiting word from the latest such attorney and hoped to retain separate counsel this week.

As outlined in my letter to Judge Kaplan, once separate counsel is retained he/she will be asked to look into the issues and advise MSI thereon.

In the circumstances, opposing counsel have proposed that we ask Your Honor for an adjournment of the August 3<sup>rd</sup> conference, say for 30 days, at which time I, and/or separate counsel will report on the status of the matter.

With the consent of opposing counsel, I therefore ask for an adjournment of the August 3<sup>rd</sup> conference until say September 6 or 7, 2011, when a further report will be made by me and/or separate counsel for MSI.

Thank you for your consideration.

Respectfully submitted,

NOURSE & BOWLES, LLP

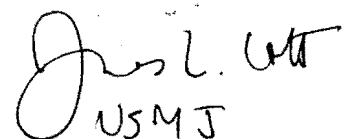
The conference is  
adjourned until  
September 15, 2011  
at 10 AM.

By:



Lawrence J. Bowles

SO ORDERED.



8/1/11

LJB/jtc

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